

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
CINCINNATI DIVISION**

HUNTER DOSTER, et al.,

Plaintiffs,

v.

FRANK KENDALL, et al.,

Defendants.

No. 1:22-cv-00084
Hon. Matthew W. McFarland

**STIPULATION AND AGREEMENT ON ELECTRONICALLY STORED
INFORMATION (ESI)**

The parties stipulate and agree, as to Electronically Stored Information (ESI), as follows:

The parties will produce ESI in native or PDF searchable format to the extent that it is consistent with the scope and limits of discovery as defined under Federal Rule of Civil Procedure 26(b)(1); the parties agree, however, that documents unsuited for production as a PDF (such as Excel spreadsheets, proprietary databases, video or audio files, etc.) should be produced in native format. To the extent that the PDF document does not indicate information that may be important (e.g., metadata such as but not limited to the date, location, and specific terminal on which the document was created or modified; the sender and all recipients of electronically transmitted data; and the locations of the terminals on which it is stored), the parties will, upon reasonable request related to particular documents, accommodate requests to provide such data to the extent that it is consistent with the scope and limits of discovery as defined under Federal Rule of Civil Procedure 26(b)(1). Similarly the parties will attempt to accommodate questions that specifically arise concerning any particular document or its modification (prompting a specific document request for documents in a particular ESI format). The parties shall preserve

and not edit or modify any metadata. The parties reserve the right to object to any such requests or seek to compel production. For all emails, the parties agree that attachments to emails are to be produced immediately following the email to which they are attached.

The Court may enforce this agreement.

Have seen and agree:

/s/Christopher Wiest
Counsel for Plaintiffs

/s/Cassandra Snyder
Counsel for Defendants

CERTIFICATE OF SERVICE

I certify that I have served a copy of the foregoing upon all counsel of record, this 3 day of September, 2022.

/s/Christopher Wiest